

ATTY. DOCKET NO.
50223USCNT
APPLICATION NO.
10/085,418
APPLICANT
LOWE
FILING DATE:
February 28, 2002Confirmation No.
4860
Group
1636

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
✓	AA	5,034,323	7/23/1991	Jorgansen and Napoli	435/172.3	800/205	3/30/1989
	AB	5,190,931	3/2/1993	Masayori, Inouye	435/91	435/240.2	3/2/1993
	AC	5,231,020	7/27/1993	Jorgensen and Napoli	435/172.3	435/320.1	3/29/1990
	AD	5,283,184	2/1/1994	Jorgensen and Napoli	435/172.3	800/205	4/17/1991
	AE	5,365,015	11/15/1994	Grierson et al	800/205	435/172.3	7/12/1990
	AF	5,530,192	6/25/1996	Murase et al	800/205	800/DIG-60	1/28/1997
	AG	5,597,718	1/28/1997	John et al	800/263	435/69.4	9/20/1995
	AH	5,850,026	12/15/1998	DeBonte and Hitz	800/281	800/278	7/3/1996
	AI	5,939,600	8/17/1999	Goldbach et al	800/205	435/69.1	9/16/1996
	AJ	5,952,546	9/14/1999	Bedbrook et al	800/298	435/320.1	6/27/1996
✓	AK	6,150,585	11/21/2000	Goldbach et al	800/205	800/250	11/26/1996

FOREIGN PATENT DOCUMENTS

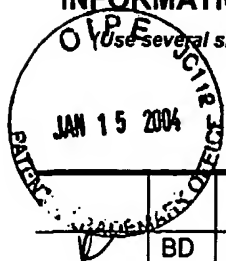
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	AM	AU 20891/97	10/1/1997	AU	C12N 15/63	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AN	EP 0467349	1/22/1992	EP	C12N 1/21	C12N 15/63	<input type="checkbox"/>	<input type="checkbox"/>
	AO	EP 0983 370	9/17/2003	EP	C12N 15/63	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AP	EP 223399	5/27/1987	EP	C12N 15/00		<input type="checkbox"/>	<input type="checkbox"/>
	AQ	EP 240208	10/7/1997	EP	C12N 15/00	A01H 1/00	<input type="checkbox"/>	<input type="checkbox"/>
	AR	EP 426195	5/8/1991	EP	C12N 15/40	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AS	EP 458367	11/27/1991	EP	C12N 15/82	C12N 15/74	<input type="checkbox"/>	<input type="checkbox"/>
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	AU	EP 647715	4/12/1995	EP	C12N 15/82	A01H 5/00	<input type="checkbox"/>	<input type="checkbox"/>
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	BA	WO 91/16440	10/31/1991	WIPO	C12N 15/82	C12N 15/56	<input type="checkbox"/>	<input type="checkbox"/>
	BB	WO 92/04456	3/19/1992	WIPO	C12P 1/00	C12N 5/04	<input type="checkbox"/>	<input type="checkbox"/>
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							YES	NO
		BD	WO 92/11376	WIPO	C12N 15/56	C12N 9/42	<input type="checkbox"/>	<input type="checkbox"/>
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		BI	WO 93/05159	WIPO	A01H 5/00	C12N 15/53	<input type="checkbox"/>	<input type="checkbox"/>
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		BV	WO 97/16559	WIPO	C12N 15/82	C12N 15/54	<input type="checkbox"/>	<input type="checkbox"/>
		BW	WO 98/05770	WIPO	C12N 15/11	C12N 15/55	<input type="checkbox"/>	<input type="checkbox"/>
		BX	WO 98/53083	WIPO	C12N 15/63	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
		BY	WO 99/15682	WIPO	C12N 15/82	A01H 3/00	<input type="checkbox"/>	<input type="checkbox"/>
		BZ	WO 99/32619	WIPO	C12N 15/11	C12N 15/63	<input type="checkbox"/>	<input type="checkbox"/>
		CA	WO 99/49029	WIPO	C12N 15/11	C12N 15/11	<input type="checkbox"/>	<input type="checkbox"/>
		CB	WO 99/53050	WIPO	C12N 15/11	A01H 3/00	<input type="checkbox"/>	<input type="checkbox"/>
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		CE	WO94/17176	WIPO	C12N 5/00	C12N 15/00	<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

<input checked="" type="checkbox"/>	CF	Assad et al, <i>Epigenetic repeat-induced gene silencing (RIGS) in Arabidopsis</i> <i>Plant Molecular Biology</i> , Vol. 22, No. 6 (1993) pp. 1067-1085
<input checked="" type="checkbox"/>	CH	Barry et al., Methylation induced premeiotically in <i>Ascombolus</i> : coextension with DNA repeat lengths and effect on trascript elongation. <i>Proceedings of the National Academy of Sciences, USA</i> Vol. 90: (1993) pp.4557-4561.

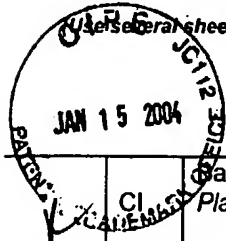
EXAMINER <i>Jonathan S. K. Jones</i>	DATE CONSIDERED <i>9/17/04</i>
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	CJ	Gaulcomb et al., Mechanisms of pathogen-derived resistance to viruses in transgenic plants. <i>Plant Cell</i> Vol. 8: (1996) pp. 1833-1844.
	CJ	Bevec et al, <i>Constitutive Expression of Chimeric Neo-Rev Response Element Transcripts Suppresses HIV-1 Replication in Human CD4⁺ T Lymphocytes</i> <i>Human Gene Therapy</i> , Vol. 5 (1994), p. 193-201
	CK	Blomberg et al, <i>Control of replication of plasmid R1: the duplex between the antisense RNA, CopA, and its target, CopT, is processed specifically in vivo and in vitro by RNase III</i> <i>The European Molecular Biology Organization</i> , Vol. 9, No. 7, (1990) pp. 2331-2340
	CL	Blume et al, <i>Identification of transposon-like elements in non-coding regions of tomato ACC oxidase genes</i> <i>Molecular and General Genetics</i> , Vol. 254 (3) (April 16, 1997), pp. 297-303
	CM	Brantl, S. and Behnke, D., <i>Copy number control of the streptococcal plasmid pIP501 occurs at three levels</i> <i>Nucleic Acids Research</i> , Vol. 20, No. 3 (1992) pp. 395-400
	CN	Braun and Hemenway, <i>Expression of amino-terminal portions or full-length viral replicase genes in transgenic plants confers resistance to potato virus X infection</i> <i>Plant Cell</i> Vol. 4 (1992) pp. 735-744.
	CO	Brederode et al, <i>Replicase-mediated resistance to alfalfa mosaic virus</i> <i>Virology</i> Vol. 207 (1995) pp. 467-474.
	CP	Cameron, F. and Jennings, P., <i>Specific gene suppression by engineered ribozymes in monkey cells</i> <i>Proceedings of the National Academy of Sciences, USA</i> , Vol. 86 (December 1989), pp. 9139-9143
	CQ	Cameron, F.H. and Jennings, P.A., <i>Inhibition of gene expression by a short sense fragment</i> <i>Nucleic Acids Research</i> , Vol. 19, No. 3 (1991), pp. 469-475
	CR	Carr et al <i>Resistance to tobacco mosaic virus induced by the 54-kDa gene sequence requires expression of the 54-kDa protein</i> <i>Molecular Plant-microbe interactions</i> Vol. 5 (1992) pp. 397-404.
	CS	Chuah et al, <i>Inhibition of Human Immunodeficiency Virus Type-1 by Retroviral Vectors Expressing Antisense-TAR</i> <i>Human Gene Therapy</i> , Vol. 5 (December 1994), pp. 1467-1475
	CT	Citron, M. and Schuster, H., <i>The c4 Repressors of Bacteriophages P1 and P7 Are Antisense RNAs</i> <i>Cell</i> , Vol. 62 (August 10, 1990), pp. 591-598
	CU	Dale et al. <i>Intra- and intermolecular site-specific recombination in plant cells mediated by bacteriophage P1 recombinase</i> <i>Gene</i> Vol. 91: (1990) pp. 79-85
	CV	de Carvalho Niebel et al. <i>Post-transcriptional cosuppression of 1,3-glucanase genes does not affect accumulation of transgene nuclear mRNA</i> <i>Plant Cell</i> Vol. 7: (1995) pp. 347-358
	CW	Denoya et al, <i>Translational Autoregulation of ermC 23S rRNA Methyltransferase Expression in Bacillus subtilis</i> <i>Journal of Bacteriology</i> , Vol. 168, No. 3 (December 1986), pp. 1133-1141
2	CX	Dorer et al, <i>Transgene repeat arrays interact with distant heterochromatin and cause silencing in cis and trans.</i> <i>Genetics</i> 147: (1997) pp. 1181-1190.

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Kristin K. Kohn

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		Dorer, D.R. and Henikoff, S., <i>Expansions of Transgene Repeats Cause Heterochromatin Formation and Gene Silencing in Drosophila</i> <i>Cell</i> , Vol. 77 (July 1, 1994), pp. 993-1002
	CZ	English et al, <i>Suppression of virus accumulation in transgenic plants exhibiting silencing of nuclear genes</i> <i>Plant Cell</i> Vol. 8: (1996) pp. 179-188
	DA	Fire et al, <i>Production of antisense RNA leads to effective and specific inhibition of gene expression in C. elegans muscle</i> <i>Development</i> , Vol. 113 (1991), pp. 503-514
	DB	Fire et al, <i>Potent and specific genetic interference by double-stranded RNA in Caenorhabditis elegans</i> <i>Nature</i> Vol. 391: (1998) pp. 806-811
	DC	Gervais et al, <i>Multigene Antiviral Vectors Inhibit Diverse Human Immunodeficiency Virus Type 1 Clades</i> <i>Journal of Virology</i> , Vol. 71, No. 4 (April 1997), pp. 3048-3053
	DD	Goodwin et al <i>Genetic and biochemical dissection of transgenic RNA-mediated virus resistance</i> <i>Plant Cell</i> 8: (1996) 95-105.
	DE	Grierson, D, <i>Silent genes and everlasting fruits and vegetables</i> <i>Nature Biotechnology</i> , Vol. 14(7) (1996) pp. 828-829
	DF	Hama et al, <i>Organization of the Replication Control Region of Plasmid ColIb-P9</i> <i>Journal of Bacteriology</i> , Vol. 172, No. 4 (April 1990), pp. 1983-1991
	DG	Hamilton et al, <i>Antisense gene that inhibits synthesis of the hormone ethylene in transgenic plants</i> <i>Nature</i> , Vol. 346 (July 19, 1990), pp. 284-287
	DH	Hamilton et al, "Post-transcriptional gene-silencing in tomato Mechanisms and Applications of Gene Silencing," 57 th Easter School Meeting date 1995; pps. 105-117; Ed: Grierson et al (Nottingham University Press, Nottingham, UK 1996)
	DI	Hamilton, et al, <i>A transgene with repeated DNA causes high frequency, post-transcriptional suppression of ACC-oxidase gene expression in tomato</i> <i>The Plant Journal</i> , Vol. 15 (6) (1998), pp. 737-746
	DJ	Hobbs et al <i>The effect of T-DNA copy number, position and methylation on reporter gene expression in tobacco transformants</i> <i>Plant Molecular Biology</i> Vol. 15: (1990) pp. 851-864
	DK	Ingelbrecht et al, <i>Posttranscriptional silencing of reporter transgenes in tobacco corrects with DNA methylation</i> <i>Proceedings of the National Academy of Sciences, USA</i> Vol. 91: (October, 1994) pp. 10502-10506
	DL	Jorgensen et al, <i>Do unintended antisense transcripts contribute to sense co-suppression in plants?</i> <i>Trends in Genetics</i> Vol. 15, No. 1 (January, 1999) pp. 11-12
	DM	Kawcheck et al <i>Sense and antisense RNA-mediated resistance to potato leafroll virus in russet burbank potato plants</i> <i>Molecular Plant-microbe Interactions</i> Vol. 4, No. 3, (1991) pp. 247-253

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K	DO	Kubo, M. and Imanaka, T., <i>mRNA Secondary Structure in an Open Reading Frame Reduces Translation Efficiency in Bacillus subtilis subtilis</i> <i>Journal of Bacteriology</i> , Vol. 171, No. 7 (July 1989), pp. 4080-4082
	DO	Kumagai et al, <i>Cytoplasmic inhibition of carotenoid biosynthesis with virus-derived RNA</i> <i>Proceedings of the National Academy of Sciences, USA</i> Vol. 92: (1995) pp. 1679-1683
	DP	Lee et al, <i>Inhibition of Human Immunodeficiency Virus Type 1 in Human T Cells by a Potent Rev Response Element Decoy Consisting of the 13-Nucleotide Minimal Rev-Binding Domain</i> <i>Journal of Virology</i> , Vol. 68, No. 12 (December 1994), pp. 8254-8264
	DQ	Leech, et al, <i>Expression of myb-related genes in the moss, Physcomitrella patens</i> <i>The Plant Journal</i> , Vol. 3(1) (1993), pp. 51-61
	DR	Lindbo and Dougherty, <i>Pathogen-derived resistance to a potyvirus: immune and resistant phenotypes in transgenic tobacco expressing altered forms of a Potyvirus coat protein nucleotide sequence</i> <i>Molecular Plant-Microbe Interactions</i> Vol. 5, No. 2 (1992) pp. 144-153.
	DS	Lindbo and Dougherty, <i>Untranslatable transcripts of the tobacco etch virus coat protein gene sequence can interfere with tobacco etch virus replication in transgenic plants and protoplasts</i> <i>Virology</i> Vol. 189: (1992) pp. 725-733.
	DT	Lindbo et al, <i>Induction of a highly specific antiviral state in transgenic plants: implications for regulation of gene expression and virus resistance</i> <i>Plant Cell</i> Vol. 5, (1993) pp. 1749-1759
	DU	Lisiewicz et al, <i>Tat-Regulated Production of Multimerized TAR RNA Inhibits HIV-1 Gene Expression</i> <i>The New Biologist</i> , Vol. 3, No. 1 (January 1991), pp. 82-89
	DV	Lisiewicz, et al, <i>Inhibition of human immunodeficiency virus type 1 replication by regulated expression of a polymeric Tat activation response RNA decoy as a strategy for gene therapy in AIDS</i> <i>Proceedings of the National Academy of Sciences, USA</i> , Vol. 90 (September 1993), pp. 8000-8004
	DW	Lo et al, <i>Inhibition of Replication of HIV-1 by Retroviral Vectors Expressing tat-Antisense and Anti-tat Ribozyme RNA</i> <i>Virology</i> , Vol. 190 (1992), pp. 176-183
	DX	Longstaff et al, <i>Extreme resistance to potato virus X infection in plants expressing a modified component of the putative viral replicase</i> <i>European Molecular Biology Organization Journal</i> Vol. 12, No. 2 (1993) pp. 379-386.
	DY	Lovett, P.S., <i>Translational Attenuation as the Regulator of Inducible cat Genes</i> <i>Journal of Bacteriology</i> , Vol. 172, No. 1 (January 1990), pp. 1-6
	DZ	Marathe and Marton, <i>Cis-repeat induced gene silencing in Tobacco</i> <i>In Vitro Cellular and Developmental Biology</i> , Vol.33, no. 3, Part II, Abstract P-1041, March 1997.
	EA	Marathe and Rajendra, "Cis-repeat induced gene silencing in tobacco," Ph.D. Thesis, Department of Biological Sciences, University of South Carolina, Fall 1997.
	EB	Matzke and Matzke, <i>How and why do plants inactivate homologous (Trans)genes?</i> <i>Plant Physiology</i> Vol. 107: (1995) pp. 679-685.
K	EC	Matzke et al. (1998). <i>Epigenetic silencing of plant transgenes as a consequence of diverse cellular defence responses</i> <i>Cell Mol. Life Sci.</i> Vol. 54(1998) pp. 94-103.

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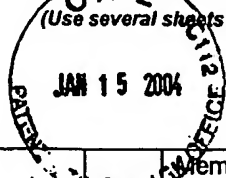
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✓		Remelink et al, <i>Structure and regulation of tobacco extensin</i> <i>The Plant Journal</i> Vol. 4 (6), (1993) pp. 1011-1022
	EE	Metzlaff et al, <i>RNA-Mediated RNA degradation and chalcone synthase A silencing in Petunia</i> <i>Cell</i> Vol. 88 (March 21, 1997) pp. 845-854.
	EF	Montgomery and Fire, <i>RNA as a target of double-stranded RNA-mediated genetic interference in Caenorhabditis elegans</i> <i>Proceedings of the National. Academy of Sciences. USA</i> Vol. 95: (1998a) pp. 15502-07
	EG	Montgomery and Fire, <i>Double-stranded RNA as a mediator in sequence-specific genetic silencing and co-suppression</i> <i>Trends in Genetics</i> Vol. 14, No. 7 (1998) pp. 255-258.
	EH	Mueller et al., <i>Homology-dependent resistance:transgenic virus resistance in plants related to homology-dependent gene silencing</i> <i>Plant Journal</i> Vol. 7, No. 6 (1995) pp. 1001-1003.
	EI	Nellen, W. and Lichtenstein C., <i>What makes an mRNA anti-sense-itive?</i> <i>Trends in Biochemical Sciences</i> , Vol. 18 (Novemeber 1993), pp. 419-423
	EJ	Notice of Opposition of Australian Patent Application #74442/98 (747872), by Commonwealth Scientific and Industrial Research Organization (CSIRO), August 23, 2002
	EK	Notice of Opposition of Australian Patent Application No. 74442/98 (747872) by Benitec Australia Ltd., August 23, 2002
	EL	Pang et al, <i>Post-transcriptional transgene silencing and consequent tospovirus resistance in transgenic lettuce are affected by transgene dosage and plant development.</i> <i>Plant Journal</i> Vol. 9: (1996) pp. 899-909.
	EM	Powell et al, <i>Protection against tobacco mosaic virus infection in transgenic plants requires accumulation of coat protein rather than coat protein RNA sequences</i> <i>Virology</i> Vol. 175: (1990) pp. 124-130.
	EN	Powell-Abel et al, <i>Delay of disease development in transgenic plants that express the tobacco mosaic virus coat protein gene</i> <i>Science</i> Vol. 232: (1986) pp. 738-743.
	EO	Proud, C., <i>PKR: a new name and new roles</i> <i>Trends in Biochemical Sciences</i> , Vol. 20 (June 1995), pp. 241-246
	EP	Que et al, <i>Distinct patterns of pigment suppression are produced by allelic sense and antisense chalcone synthase transgenes in petunia flowers</i> <i>The Plant Journal</i> Vol. 13, No. 3 (1998) pp. 401-409
	EQ	Ratcliff et al, <i>A Similarity Between Viral Defense and Gene Silencing in Plants</i> <i>Science</i> , Vol. 276 (June 6, 1997), pp. 1558-1560
	ER	Schiebel et al, <i>RNA-directed RNA polymerase from tomato leaves</i> <i>Journal of Biological Chemistry</i> , Vol. 263: (1993a) pp. 11851-11857
	ES	Schiebel et al, <i>RNA-directed RNA polymerase from tomato leaves</i> <i>Journal of Biological Chemistry</i> , Vol. 263: (1993b) pp. 11858-11867
	ET	Sijen et al, <i>RNA-Mediated Virus Resistance: Role of Repeated Transgenes and Delineation of Targeted Regions</i> <i>The Plant Cell</i> , Vol. 8 (December 1996), pp. 2277-2294

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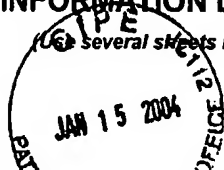
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K	Smith et al. (1994). <i>Transgenic plant virus resistance mediated by untranslatable sense RNAs: Expression, regulation, and fate of nonessential RNAs</i> <i>Plant Cell</i> , Vol. 6: (1994) pp. 1441-1453.
EV	Stam et al, <i>Post-transcriptional silencing of chalcone synthase in Petunia by inverted transgene repeats</i> <i>The Plant Journal</i> , Vol. 12(1), (1997), pp. 63-82
EW	Stam et al, <i>The silence of Genes in Transgenic Plants</i> <i>Annals of Botany</i> Vol. 79: (1997) pp. 3-12
EX	Statement of Ground and Particulars filed by Benitec Australia Ltd. Opposing Australian Patent Application No. 747872, Dated November 22, 2002
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